

Fax

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To: USPTO

Fax: 17038729319

From: Ahmad Rezai

Fax: 310 589 1968
Phone:

Regarding: Application No. 09/879,884

Examiner Re-Assignment Request & Justification

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December 10, 2002

To: Mr. John S. Hilten

SU: Hereby requesting review of patent by another examiner based on demonstration that current assigned examiner for Application No. 09/879,884 is unable to do justice to it, the application review process or entrusted purpose at the USPTO

MS750 (<http://www.timble.com/ms750.html>) is one of several available instruments that provide centimeter accuracies. Its debut was way back in 1998, as articles like that found in Space Daily (<http://www.spacedaily.com/news/gps-98q.html>) read: "The MS750 sets a new industry standard for dynamic positioning receivers with unprecedented accuracy and response time. Like no other dual frequency GPS receiver on the market today, the MS750 provides the highest level of accuracy and response - 20 millimeter accuracy at 20 updates per second at 20 millisecond latency (20mm-20Hz-20ms)." It further reads: "Trimble's MS70 was designed as a plug-and-play receiver for easy integration and configuration."

20 millimeter accuracy in 1998!! Compare that to the odd proclamation of your examiner: "claimed limitations centimeter and sub-centimeter are not enabling because the best accuracy and resolution at time of the instant invention (and indeed, currently) was on the order of 2 feet (~61 centimeters) and since the claimed invention is not supported by either a credible asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention." (Application No. 09/879,884; page 12, item 13)

What is even more interesting is how he forwards a reference manual to me that within it also acknowledges centimeter accuracy.

My patent was filed quite some time after 1998, and I am quite perplexed as to the abilities of the examiner entrusted with review of my patent proposal. Not only is the said utility "credible" plug & play material available from a variety of manufacturers, but has been well established and in existence for some half a decade now. I find the matter very troubling - the inability of your examiner to cite reality, would wonder if other errors in examination have been made and am herein respectfully requesting a second examination of my patent, preferably by one far more up to date with regards to what is well in existence, for quite some time now.

As stated on forwarded page 7, item (h): "where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the filed of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail."

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